

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DONALD NEWELL,

Plaintiff,

OPINION AND ORDER

v.

18-cv-852-bbc

MICHAEL MEISNER,

Defendant.

In an order entered on November 9, 2018, I dismissed pro se plaintiff Donald Newell's complaint as barred by Heck v. Humphrey, 512 U.S. 477, 487 (1994), because plaintiff sought to challenge the validity of his conviction for sexual assault and the conditions of his supervised release under 42 U.S.C. § 1983 without first successfully challenging his conviction in a habeas corpus proceeding. Dkt. #6. Plaintiff now seeks leave to amend his complaint. Dkt. #8. The motion will be denied.

In his proposed amended complaint, plaintiff repeats most of the same allegations in his original complaint and adds several pages of "favorable case law" and legal arguments. However, as in his original complaint, plaintiff continues to allege in his proposed amended complaint that there were several errors in his criminal trial stemming from a 2003 charge of sexual assault and that the "rules of supervision" that he later was asked to sign are unconstitutional. Because his proposed amended complaint suffers from the same problem as his original complaint, plaintiff's motion for leave to file an amended compliant will be

denied.

ORDER

IT IS ORDERED that plaintiff Donald Newell's motion for leave to file an amended complaint, dkt. #8, is DENIED.

Entered this 11th day of December, 2018.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge